

1 By Iracy

H. B. No. 70

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3
4
5 A BILL TO BE ENTITLED

6
7 AN ACT

8
9 creating the 201st Judicial District;
10 providing for its court and for the
11 jurisdiction, terms, personnel, adminis-
12 tration, and practice of the court;
13 creating the office of district attorney
14 for the 201st Judicial District, and
15 prescribing the powers, duties, and
16 compensation of the district attorney;
17 and declaring an emergency.
18

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

20
21 Section 1. CREATION AND JURISDICTION. (a) The 201st
22 Judicial District is created. Its boundaries are coextensive
23 with the boundaries of Comal County and Guadalupe County, and its
24 court is the 201st District Court.

25 (b) The 201st District Court has the jurisdiction provided
26 for district courts by the Constitution and laws of this state.
27 Its jurisdiction is concurrent in Comal County with that of the
28 22nd and the 155th District Courts, and in Guadalupe County with
29 that of the 25th and the Second 25th District Courts.

30 Sec. 2. TERMS OF COURT. The terms of the 201st District
31 Court begin on the first Monday in January and the first Monday
32 in July of each year. Each term of the court continues until the
33 next succeeding term convenes..

34 Sec. 3. JUDGE. (a) As soon as practicable after the
35 effective date of this Act, the governor shall appoint as judge
36 of the 201st District Court a person qualified to serve as a
37 district judge under the Constitution and laws of this state. The
38 judge appointed holds office until the next general election and
39 until his successor is duly elected and has qualified.

40 (b) The judge of the 201st District Court is entitled to
41 the same compensation and allowances provided by the state for
42 other district judges.

43 Sec. 4. COURT OFFICIALS. (a) The judge of the 201st Dis-
44 trict Court may appoint an official court reporter. The reporter
45 must meet the qualifications prescribed by law for that office
46 and is entitled to the same compensation, fees, and allowances
47 provided by law for other official court reporters.

48 (b) The sheriff and clerk in each county comprising the
49 201st Judicial District shall serve as sheriff and clerk,
50 respectively, for the 201st District Court in his county. They
51 shall perform the duties, and are entitled to the compensation
52 and allowances prescribed by law for their respective offices.

53 Sec. 5. TRANSFER OF CAUSES. (a) In any county composing
54 the 201st Judicial District the judges of courts having concurrent

1 jurisdiction in the county may freely transfer causes, civil and
2 criminal, to and from the dockets of their respective courts. The
3 judges may also freely exchange benches with each other so that if
4 a judge is ill, disqualified, or otherwise absent, another judge
5 whose court exercises jurisdiction in the county may hold court for
6 him without the necessity of transferring the causes involved.

7 (b) A judge of one of the district courts of Comal County or
8 Guadalupe County may hear all or any part of a cause pending in
9 another district court of the county; and he may rule and enter
10 orders on, continue, determine, or render judgment on all or any
11 part of the cause without the necessity of transferring it to his
12 own docket.

13 Sec. 6. OFFICE OF DISTRICT ATTORNEY CREATED. The office of
14 District Attorney for the 201st Judicial District is created. As
15 soon as practicable after the effective date of this Act, the
16 governor shall appoint as district attorney a person qualified to
17 hold the office under the Constitution and laws of this state. The
18 person appointed holds office until the next general election
19 and until his successor is duly elected and has qualified.

20 Sec. 7. POWERS AND DUTIES. The District Attorney for the
21 201st Judicial District shall represent the state in all criminal
22 cases, including habeas corpus cases, which are tried in the 201st
23 District Court. All general laws relating to district attorneys
24 apply to the District Attorney for the 201st Judicial District when
25 he acts or is under a duty to act in that capacity.

26 Sec. 8. SALARY AND ALLOWANCES. The District Attorney for
27 the 201st Judicial District shall receive from the state the same
28 salary and allowances paid by the state to other district attorneys.

29 Sec. 9. OTHER DISTRICT ATTORNEYS. From the effective date
30 of this Act, no other person holding the office of district attorney
31 for any judicial district other than the office created under this
32 Act shall represent the state in the capacity of district attorney
33 in the 201st District Court.

34 Sec. 10. EMERGENCY. The importance of this legislation and
35 the crowded condition of the calendars in both houses create an
36 emergency and an imperative public necessity that the Constitutional
37 Rule requiring bills to be read on three several days in each
38 house be suspended, and this Rule is hereby suspended, and that this
39 Act take effect and be in force from and after its passage, and it
40 is so enacted.

H.B. No. 70 By Inger

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AN ACT

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FILED

READ 1ST TIME
AND REFERRED TO COMMITTEE ON
Judicial Districts
SEP 5 1969
Dorothy Hallman
Chief Clerk, House of Representatives